

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

IN THE MATTER OF THE APPLICATION
FOR SOUTH DAKOTA MEDICAL LICENSURE
SUBMITTED BY KARIM NASSIB MROUEH, MD

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

WHEREAS, the investigative review panel of the South Dakota Board of Medical and Osteopathic Examiners consisting Milton Mutch, MD, board member investigator, Margaret B. Hansen, executive director, Donald N. Srstka, general counsel, and H. Adrian Mohr, board investigator, having performed due diligence with regard to the application of Karim Nassib Mroueh, MD for licensure, and the South Dakota Board of Medical and Osteopathic Examiners, being fully advised of the premises, hereby makes and enters its:

FINDINGS OF FACT

1. July 11, 2007 – Initial application for medical licensure submitted by Karim Nassib Mroueh, MD (hereinafter called applicant); the answers provided on the application indicated no affirmative answers or other problems.
2. November 27, 2007 - Applicant emailed the board staff and asked how he could submit changes to his initial application.
3. December 28, 2007 - Applicant emailed the board staff, asked about the status of his application, and mentioned for the first time that there were two pending criminal misdemeanors charges against him in Minnesota.
4. January 7, 2008 – Applicant's letter arrived, stating that Applicant did not complete his fellowship training at Indiana University due to major stressors in training and marital life resulting in a leave of absence and separation during the third year of the program, and that he was charged with two misdemeanors for domestic abuse and disorderly conduct stemming from incidents on May 28, 2007.
5. January 11, 2008 - Board staff received a complaint from the prosecuting attorney in Minnesota stating that Applicant was charged with domestic abuse for assaulting his wife.
6. Documents which supported the complaint stated that Applicant was placed at a hospital with a 72 hour hold because of his suicide threats, and that Applicant had been on leave from his fellowship program for two months due to depression.
7. February 13, 2008 - Applicant emailed the board staff stating that he left the United States and was now living in Lebanon, that he would not comment on the pending

criminal charges against him, and that his prospective employment contract with Sanford had been withdrawn.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the application for licensure under the provisions of SDCL Chapter 36-4, the Medical Practices Act.
2. The applicant has the burden of proving that he is competent and that he is of good moral character.
3. The Board has the power to refuse to grant a license for unprofessional, immoral or dishonorable conduct on the part of the applicant.
4. The Board has evidence that the applicant has unresolved criminal charges against him in other states and has not met his burden of proving that he is competent, professional, and free from unprofessional conduct.

IT IS HEREBY ORDERED that the Findings of Fact and Conclusions of Law herein are approved.

Dated this 26th day of March, 2008

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Robert L. Ferrell, MD, President

STATE OF SOUTH DAKOTA
MINNEHAHA COUNTY S.S.
I hereby certify that the foregoing
instrument is a true and correct copy
of the original as the same appears
on the record in my office.

Executive Secretary

By MBH by jph
Date 3-26-08

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

IN THE MATTER OF THE
APPLICATION FOR SOUTH DAKOTA
MEDICAL LICENSURE SUBMITTED
BY KARIM NASSIB MROUEH, MD

ORDER APPROVING
FINDINGS OF FACT AND
CONCLUSIONS OF LAW

Whereas, the Members of the South Dakota Board of Medical and Osteopathic Examiners having been advised in the premises did affirm the Findings of Fact and Conclusions of Law in their entirety, and for good cause thereby shown, it is hereby ORDERED that the Findings of Fact and Conclusions of Law dated the same date herein are approved and affirmed in their entirety, and it is further ORDERED that the application for licensure is denied.

Dated this 26th day of March, 2008

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Robert L. Ferrell, President

STATE OF SOUTH DAKOTA } S.S.
MINNEHAHA COUNTY }

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By MBH By [Signature]
Date 3-26-08